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20 Attorneys for Defendant  
21 ZONG, INC.

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA  
24 OAKLAND DIVISION

25 PAYMENTONE CORPORATION,  
a Delaware corporation,

26 Plaintiff,

27 v.

28 ZONG, INC., a Delaware corporation,

Defendant.

Case No. 4:11-cv-02186-YGR

**STIPULATION AND [PROPOSED]  
ORDER TO SUBSTITUTE PARTY**

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1 Pursuant to Rules 15(a)(2) and 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff  
2 PaymentOne Corporation and Defendant Zong, Inc. hereby stipulate to the substitution of PayPal,  
3 Inc. as Defendant in place of Defendant Zong, Inc., subject to the approval of the Court. In  
4 support of this stipulation, the parties state as follows.  
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- 6 1. Plaintiff's Complaint names Zong, Inc. as a Defendant in this action.
- 7 2. Effective January 1, 2012, Zong, Inc. merged with and into PayPal, Inc.
- 8 3. Pursuant to the merger, PayPal, Inc. is the successor-in-interest to all of the debts  
9 and liabilities of Zong, Inc.

10 Pursuant to General Order No. 45, Section X(B) regarding signatures, I hereby attest that  
11 concurrence in the filing of this document has been obtained for the other signatories in this e-filed  
12 document.  
13

14 Dated: April 30, 2012

FISH & RICHARDSON P.C.

15 By: /s/ Keeley I. Vega  
16 Keeley I. Vega

17 Attorneys for Defendant  
18 ZONG, INC. and PAYPAL, INC.  
19

20 Date: April 27, 2012

COLT / WALLERSTEIN LLP

21 By: Doug Colt

22 Doug Colt  
23 Attorneys for Plaintiff  
24 PAYMENTONE CORPORATION  
25

NIRO, HALLER & NIRO

26 By: /s/ Matthew G. McAndrews

27 Matthew G. McAndrews (*pro hac vice pending*)  
28 Attorneys for Plaintiff  
PAYMENTONE CORPORATION

## **[PROPOSED] ORDER**

Before the Court is the Stipulation by Plaintiff PaymentOne Corporation and Defendant Zong, Inc. to Substitute Party. Having considered the Stipulation, and finding that good cause exists and the relief sought is justified, it is hereby ORDERED that PayPal, Inc. be submitted in place of Defendant Zong, Inc. in the above-captioned case. The case caption will hereby reflect this party substitution.

Dated: \_\_\_\_\_

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UNITED STATES DISTRICT COURT JUDGE

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